



***Town of Tyngsborough
Conservation Commission***

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 116
Fax: (978) 649-2301

Minutes
October 23, 2012
APPROVED

Present:

BM: Brian Martin **LB:** Linda Bown **LG:** Lucy Gertz **JE:** Jerry Earl **PM:** Pat Mical
ES: Ed Smith **MM:** Matt Marro

Absent:

JK: Jeff Kablik

Attachments:

1. Agenda
2. 296 Westford Rd. NOI Filing - 10/3/12

7:05pm BM opened meeting

7:10pm **296 Westford Rd. (M16, P21,, L0) – Notice of Intent, DEP# 309-0860** for the installation of a subsurface sewage disposal system within the 200' riverfront zone, and within the 100' buffer zone of a BVW.

ES: Motion to waive the reading of the abutters list and legal notice.

LB: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Passes: 6-0-1

Applicant engineer Neil Gorman appeared before the Commission regarding the above filing. MM noted that the original file did not have impacts to the flood plain listed on the NOI application, and questioned whether a Special Permit from the Planning Board was needed. Mr. Gorman reported that after consulting the Tyngsborough Building Inspector Paul Welcome, it was determined that due to the fact that the work is not new construction, a Special Permit from the Planning Board was not required. MM added that the floodplain has been quantified by the engineer and listed on the revised NOI, dated 10/23/12. He went on to note that there would only be a minor loss of 19 cubic yards which is statistically "zero" due to the fact that there is no specific study or overlay for the site.

Mr. Gorman reported that in addition to the septic system, there will be a dry well for filtration, and a water softener system for the home itself. All of the work is within a previously disturbed area which had been disturbed at the time the house was originally built in the 1980s. The Board of Health is slated to have a public hearing on the system design on November 19, 2012. MM recommended a standard Order of Conditions. There were no abutters present to speak on this hearing.

LB: Motion to close the public portion of the hearing.

ES: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Passes: 6-0-1

LB: Motion to issue a Standard Order of Conditions for a subsurface sewage disposal system at 296 Westford Rd. per plans dated 10/23/12.

ES: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Passes: 6-0-1

7:25pm 22 Cricones Way (M25, P13, L4-22) – Request for Partial Certificate of Compliance, DEP# 309-0770. Order of Conditions issued 1/24/07.

The project under this DEP# is known as Whispering Pines and has been completed according to plan. MM reported that the wetland replication was done very well and is stable. This release would be a partial for 22 Cricones Way only.

ES: Motion to approve the Partial Certificate of Compliance for 22 Cricones Way, DEP# 309-0770.

PM: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Passes: 6-0-1

7:30pm 22 Cricones Way (M25, P13, L4-22) – Request for Partial Certificate of Compliance, DEP# 309-396. Order of Conditions issued 1997.

The project under this DEP# is known as Whispering Pines and has been completed according to plan. MM reported that the wetland replication was done very well and is stable. This release would be a partial for 22 Cricones Way only.

ES: Motion to approve the Partial Certificate of Compliance for 22 Cricones Way, DEP# 309-396

LB: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Passes: 6-0-1

7:40pm Worden Road Land Donation – Sandy Dahlfred

Ms. Dahlfred appeared before the Commission to complete the land donation process. The legal documents were reviewed by Tyngsborough Town Counsel and approved for the Commission to sign. The Commission noted that there will be No Hunting on the property.

Director's Determinations/Director's Reports:

1. Director's Determinations:

- 39 Woodfern Ave. – Shed

MM reported that the shed replaces an existing shed and will be installed at the stream draining to Mascuppic Trail. He went on to say that there will be no footings as the shed will be built on blocks.

ES: Motion to approve the Director's Determination for a shed at 39 Woodfern Ave.

LB: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Reports/Discussion:

- **Sherburne Nature Center Boardwalk Project Update**

LG reported that the trails committee has been working on plans for interpretive signage along the new boardwalk and a connector trail in the middle of the meadow. Also, the bills were forwarded to the Town Administrator for payment by the CPC.

Administrative:

1. Minutes:

JK: Motion to approve the minutes from the October 9, 2012 meeting

JE: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Passes: 6-0-1

7:50pm

LB: Motion to adjourn

ES: 2nd the motion

In Favor: 6 Opposed: 0 Absent: 1

Passes: 6-0-1

Respectfully for the Conservation Commission,

Pamela Berman
Administrative Assistant